

ZB# 85-29

Carolyn Koppel

44-2-6

85-29 -

Koppel, Carolyn - use variance

Prelim.

7/8/85

Public Hearing

Sept. 9, 1985.

Notice to Landlord

sent on 7/29/85.

Collect fee: \$25.00

Use
Variance

Granted

Owner occupied
only

9/9/85.

General Receipt

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

6855

Received of

Carolyn Kappel

\$

25.00

DOLLARS

For

Variance Application Fee AS-29

DISTRIBUTION:

FUND	CODE	AMOUNT
<i>Check # 25.00</i>		
<i># 824</i>		

By

Pauline J. Townsend

EC

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of

CAROLYN KOPPEL,

#85-29.
-----X

DECISION GRANTING
USE VARIANCE

WHEREAS, CAROLYN KOPPEL of 26 Forest Hills Road, New Windsor, New York, has made application before the Zoning Board of Appeals for a use variance for the purposes of:

Converting existing residential dwelling to a two-family use.

WHEREAS, a public hearing was held on the 9th day of September, 1985 at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, applicant appeared in person; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant proposes to convert the existing one-family residential dwelling to a two-family use.

3. The evidence shows that proposed use is presently located in a one-family residential area, presently zoned R-4.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANTS a use variance due to the special circumstances of the applicant with the following restrictions:

(1) The variance is owner-occupied only and personal to Mrs. Koppel so that she may have her family with her but that the variance does not run with the land.

BE IT FURTHER,

RESOLVED, That the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: September 23, 1985.

S/ Daniel P. Konkol
Chairman

cc: Mrs. Carolyn Koppel

9/9/85 Public Hearing: Loppel, Carolyn -

Name:

Address:

Marb Guinan

22 Forest Hills Dr

✓ Robin Grove

38 Forest Hill Rd

Mrs Peter Terasi

39

" " "

Elaine Graham

35

" " "

MARIA MASSI

21

" " "

✓ Bernadette Jager

37 Forest Hill Rd

John Graham

35

Forest Hills Rd.

Edwin Graham

41

Cherry Lane

Mrs Ann Bolton

36 Forest Hill Rd

✓ Jan M. Harman

28 Forest Hill Rd

STANLEY MANDELL, M.D.
164 REAR HUDSON STREET
P.O. BOX 386
CORNWALL-ON-HUDSON, N. Y. 12520
Telephone (914) 534 7185

RqF 2/8/85

May 7, 1985
To whom it may concern:

Carolyn Koppel is a patient
of mine for the treatment
of possible multiple sclerosis.
It is difficult for her to
walk great distances and
should be allowed to park
closer to the building of
her employment.

Sincerely,

SL

(make extra copies)

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

85-29

Date: 7/29/85

I. ✓ Applicant Information:

- (a) Ms Carolyn Koppel, 26 Forest Hill Rd, New Windsor, NY 914-565-5318
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☒ Use Variance ☐ Sign Variance
- ☐ Area Variance ☐ Special Permit

III. ✓ Property Information:

- (a) R-4 26 Forest Hill Rd 44-2-6 6/10 of acre
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? -
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? _____
- (e) Has property been subdivided previously? no When? -
- (f) Has property been subject of variance or special permit previously? no When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? yes
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. ✓ Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-34A, Table of Use Regs., Col. A, to allow:

(Describe proposal) Conversion of garage to living room with kitchen facilities & addition of half bath.

- (b) ✓ The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

Recently I was diagnosed as having multiple Sclerosis which has resulted in partial paralysis of my right side. As a single parent with physical limitations, it is necessary for me to have live-in help. Currently, my parents plan to reside with me. Despite the medication I am taking, I still do not have complete physical mobility.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	/	/
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	sq.ft.	sq.ft.	sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The exterior dimensions of the house have not been changed and has the proposed surrounding property been altered in any way to make it incompatible with the neighborhood.

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ N/A. Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ N/A. Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 7/29/85

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

✓ Carolyn Roppel
(Applicant)

Sworn to before me this

29th day of July, 1985.

Patricia Delio

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970776
Qualified in Orange County
Commission Expires March 30, 1987.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

Pat

Legal Notice

PUBLIC NOTICE OF HEARING
BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
TOWN OF NEW WINDSOR New
York will hold a Public Hearing
pursuant to Section 48-34A of the
Zoning Ordinance on the follow-
ing proposition:

Appeal No. 29

Request of CAROLYN KOP-
PEL for a VARIANCE of the
regulations of the Zoning Ordina-
nance to permit two family use
in a one-family (R-4) residential
zone.

being a VARIANCE of Section
48-9 Table of Use Regs. Col. A
for property situated as follows:
26 Forest Hills Road New
Windsor, N.Y.

SAID HEARING will take place
on the 9th day of September,
1985, at the New Windsor Town
Hall, 555 Union Avenue, New
Windsor, N.Y. beginning at 7:30
o'clock.

DANIEL P. KONKOL
Chairman
By Patricia Delio
Secretary

State of New York

County of Orange, ss:

Everett W. Smith, being duly sworn

disposes and says that he is

Publisher of the E.W. Smith

Publishing Company, Inc. publisher

of The Sentinel, a weekly newspaper

published and of general circulation

in the Town of New Windsor, and that

the notice of which the annexed is

a true copy was published once

in said newspaper, commencing on

the 8th day of August A.D., 1985

and ending on the 8th day of August
A.D. 1985

Subscribed and shown to before me

this 29th day of Jan, 1986

Patricia Delio

Notary Public of the State of New York
County of Orange.

My commission expires 3/30/87

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970776
Qualified in Orange County
Commission Expires March 30, 1987.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

Prelim:
7/8/85-

(3)

85-29.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date June 10, 1985

To CAROLYN KOPPEL
26 FOREST HILL RD.

PLEASE TAKE NOTICE that your application dated June 10, 1985
for permit to CONVERT A SPLIT LEVEL
HOUSE TO APARTMENT
at the premises located at 26 FOREST HILL RD.

is returned herewith and disapproved on the following grounds:

CONVERSIONS NOT ALLOWED
IN CHAPTER 48, ZONING

Paul V. Brown
Building Inspector



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

September 10, 1985

1763

Carolyn Koppel
26 Forest Hill Road
New Windsor, N. Y. 12550

RE: APPLICATION FOR USE VARIANCE - #85-29

Dear Ms. Koppel:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to GRANT your request for a use variance at the September 9, 1985 meeting.

Formal decision containing certain restrictions stipulated at the hearing, will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

In the meantime you may apply for a building permit from the Building Inspector.

Very truly yours,

PATRICIA DELIO
Secretary to Zoning Bd. of Appeals

/pd

cc: Town Building Inspector
Planning Board



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

July 30, 1985

Ms Carolyn Koppel
26 Forest Hill Road
New Windsor, N.Y.

RE: 44-2-6

Dear Ms. Koppel:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$45.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script that reads 'Christian E. Jahrling'.

CHRISTIAN E. JAHRLING IAO
SOLE ASSESSOR
Town of New Windsor



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

26

✓ Harrison Peter A & Jean M
28 Forest Hill Road
New Windsor NY 12550

✓ Bolton John J Jr & Agnes
36 Forest Hill Road
New Windsor NY 12550

✓ Grove Stephen B & Robin B
38 Forest Hill Road
New Windsor NY 12550

✓ Schisano Salvatore & Richard
20 Forest Hill Road
New Windsor NY 12550

✓ Pacione Tamara
24 Forest Hill Road
New Windsor NY 12550

✓ Warmers Construction Corp
PO Box 148
Newburgh NY 12550

✓ Gayton Richard
4 Cherrie Lane
New Windsor NY 12550

✓ Graham John H & Elaine W
35 Forest Hill Road
New Windsor NY 12550

✓ Sager Stephen R & Bernadette
37 Forest Hill Road
New Windsor NY 12550

✓ Terrasi Peter C & Margaret Joan
39 Forest Hill Road
New Windsor NY 12550

✓ Pinder Thomas G & Barbara D
43 Forest Hill Road
New Windsor NY 12550

✓ Torrelli Donato & Sue
8 Forest Hill Road
New Windsor NY 12550

Henderson Mark A & Stacia L
47 Forest Hill Road
New Windsor NY 12550

Minuto Roberto
30 Farmstead Road
New Windsor NY 12550

✓ G R Covert
c/o P C Koppenhoefer
PO Box 152
Mountainville NY 10953

✓ Staropoli Thomas J & Linda J
304 Quassaick Ave
New Windsor NY 12550

Bertero Richard L & Lillian M
308 Quassaick Ave
New Windsor NY 12550

✓ Lockwood William R, William A,
Scott W & Paul M
D/B/A New Windsor Town House for
Adults
314 Quassaick Ave
New Windsor NY 12550

✓ Foschini Errol & Emilia
17 Forest Hill Road
New Windsor NY 12550



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

- ✓ Sokol David & Carol
228 Quassaick Ave
New Windsor NY 12550
- ✓ Massi James & Maria
21 Forest Hill Road
New Windsor NY 12550
- McBrayer John J Jr & Frances M
25 Forest Hill Road
New Windsor NY 12550
- Protter Gerald & Renee
1 Cherie Lane
New Windsor NY 12550
- Woodson Patrick & Muriel
Cherie Lane
New Windsor NY 12550
- ✓ Coplan Joel & Karen S
3 Cherie Lane
New Windsor NY 12550
- ✓ Oakwood Terrace Housing Corp
207 Lake Drive
Newburgh NY 12550

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

RE: PUBLIC HEARINGS BEFORE THE ZBA - September 9, 1985

DATE: August 27, 1985

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

KOPPEL, CAROLYN - Use variance

PREVITI, ANGELA - Use variance

MUSOLINO/GITTLITZ/SCHROEDER - Area variances

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary
Zoning Board of Appeals

/pd

Attachments

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

Appeal No. 29

Request of CAROLYN KOPPEL

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit two family use in a one-family (R-4)
residential zone;

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-9 - Table of Use Regs.-Col. A
for property situated as follows:

26 Forest Hills Road, New Windsor, N. Y.

SAID HEARING will take place on the 9th day of
September, 19 85, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

DANIEL P. KONKOL
Chairman